

REMARKS

Applicant has received and reviewed the Final Official Action mailed by the Office on 14 July 2005 (hereinafter, the "Final Action"), and submits this paper as a fully-responsive reply thereto, in connection with a Request for Continued
5 Examination (RCE).

Rejections Based on § 103

As stated in Paragraph 2 of the Final Action, claims 1-11, 13-16, 21-24, 26-27, and 29-38 stand rejected under § 103(a) as being unpatentable over U.S. Patent No. 5,848,132 to Morley, et al. (hereinafter, "Morley"), in view of U.S. Patent No.
10 5,329,578 to Brennan, et al. (hereinafter, "Brennan"). The Applicant respectfully traverses each of the foregoing rejections, for the reasons stated below.

Turning first to independent claim 1, without conceding the propriety of the stated rejections and solely to advance the prosecution of this application, the Applicant has amended claim 1 to clarify further features of the system. For
15 convenience, the Applicant reproduces claim 1 here, with revisions shown in redline:

"1. (Currently Amended) A system to schedule placement of outgoing calls ~~for placement~~ comprising:

a service switching point (SSP) ~~that is being in communication~~ adapted to communicate with a first
20 telephone station associated with ~~said~~ a scheduling party that is scheduling the outgoing calls, and to communicate with at least one other telephone station associated with at least one scheduled party to be

~~called receive the outgoing calls from the first telephone station, wherein said first telephone station is adapted to receiving-receive call schedule information on a telephone interface and to communicating communicate said call schedule information to said service switching point (SSP);~~

5 a service node (SN) ~~that is adapted to communicate communicating~~ with the service switching point (SSP). ~~wherein said service node (SN) switching point (SSP) is further adapted to place the outgoing call connect to~~ at least one other telephone station ~~with from the said first telephone station~~ in accordance with said call ~~schedule informationschedules~~; and

10 a service control point (SCP) ~~adapted to communicate communicating~~ with said service switching point (SSP), and comprising: an administrative computing application, a call scheduling ~~computing~~ application, and a call information database, said service control point (SCP) ~~configured to identifying~~ said service node (SN) as adapted to ~~place the outgoing call to connect said at least one the~~ other telephone station ~~with from the first telephone station~~ in accordance with said call ~~schedule information, schedules~~ wherein said service control point (SCP) and said service node (SN) ~~are configured to place a confirmation call to an alternate telephone station associated with~~ specified by said scheduling party."

15 The Applicant submits that the revisions pertaining to the "outgoing calls" are fully supported under § 112, 1st paragraph, at several places throughout the Applicant's description, at least by, for example, page 2, lines 13-20 of the Applicant's Specification. Additionally, the features pertaining to "plac[ing] a confirmation call to an alternate telephone station specified by said scheduling party" are believed fully supported at least by page 8, lines 5-19 of the Applicant's Specification.

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Turning to the cited art, Morley pertains generally to a telecommunications network having resident ability to pre-book scheduled call back services. As such,

the Applicant agrees with the assessment on Page 3 of the Final Action that Brennan does not specifically teach or suggest that “said service control point (SCP) and said service node (SN) are configured to place a confirmation call to an alternate telephone station associated with said scheduling party”. However, the

5 Applicant submits that Morley also fails to teach or suggest a “service control point (SCP) and said service node (SN) [that] are configured to place a confirmation call to an alternate telephone station specified by said scheduling party”, as recited in claim 1, after entry of the above revisions.

Turning to Morley in more detail, and without intending undue emphasis on

10 any portion of Morley, Morley’s describes a process for calling the originating customer in column 4, from about line 34 to about line 58. However, this portion of Morley does not teach or suggest enabling the customer to specify the telephone station to which this call is placed. However, in column 3, line 58, Morley refers to a customer’s “calling line identity”. Morley is not clear and explicit as to how

15 the customer’s “calling line identity” relates, if at all, to the call placed to the originating customer. Accordingly, the Applicant submits that Morley fails to teach or suggest at least a “service control point (SCP) and said service node (SN) [that] are configured to place a confirmation call to an alternate telephone station specified by said scheduling party”, as recited in the Applicant’s claim 1.

20 Turning to Brennan, the Final Action cited Brennan as providing the teaching missing from Morley to support a § 103 rejection of claim 1. Without

conceding that Brennan and Morley provide the teaching for which they are cited in the Final Action, the Applicant submits that Brennan fails to remedy the shortcomings of Morley.

Turning to Brennan in more detail, Brennan pertains generally to a personal
5 communication service with mobility manager. More particularly, Brennan
pertains to routing calls that are incoming to a subscriber. See, e.g., Abstract of
Brennan. The Applicant submits that the proposed combination of Morley and
Brennan is not proper under § 103, because Morley and Brennan provide no
motivation or suggestion to combine their teachings. As discussed above, Morley
10 is not explicit as to how to determine the number to which the call to the
originating customer (Morley, column 4, lines 38-40) is directed. However,
assuming that this call is directed to the originating customer's "calling line
identity" (Morley, column 3, line 58), this call is essentially pre-routed, and
therefore, Morley would have no need for the routing capabilities described by
15 Brennan. Therefore, Morley provides no motivation or suggestion to look to
Brennan, or to any other art, for teaching related to routing incoming
communications.

In light of the foregoing, the Applicant submits that any motivation or
suggestion to combine the teachings of Morley and Brennan arise, if at all, only
20 from the Applicant's claim 1. As such, the Applicant submits that the
combination of Morley and Brennan as proposed in the Final Action amounts to a

hindsight reconstruction of the art motivated only by the Applicant's claim 1, and therefore fails to state a *prima facie* case of obviousness under § 103. On at least this basis, the Applicant requests reconsideration and withdrawal of the § 103 rejection of claim 1.

5 In addition to the foregoing, the Applicant's claim 1 recites "outgoing calls" that are outgoing from a "scheduling party". However, the Applicant's claim 1 recites that the scheduling party specifies the telephone station to which the confirmation call is placed. Therefore, the Applicant's system as recited in claim 1 pre-routes the confirmation call by enabling the scheduling party to
10 specify the telephone station to which the confirmation call is placed. Accordingly, the subject matter recited in the Applicant's claim 1 has no need for a routing system such as Brennan. On at least this further basis, the Applicant requests reconsideration and withdrawal of the § 103 rejection of claim 1.

Claims 2-11 and 13-15 depend directly or indirectly from claim 1 and stand
15 rejected on similar grounds. Therefore, the above comments apply equally to these dependent claims.

Turning to **independent claim 16**, this claim is amended to clarify features of the method that are similar to those discussed above in connection with claim 1. Accordingly, the comments directed above to claim 1 apply equally to claim 16.

On at least this basis, the Applicant requests reconsideration and withdrawal of the
§ 103 rejection of claim 16.

Claims 21-24 depend directly or indirectly from claim 16 and stand rejected
on similar grounds. Therefore, the above comments directed to claim 16 apply
5 equally to these dependent claims.

Turning to **independent claim 26**, this claim is amended to clarify features
of the method that are similar to those discussed above in connection with claim 1.
Accordingly, the comments directed above to claim 1 apply equally to claim 26.
On at least this basis, the Applicant requests reconsideration and withdrawal of the
10 § 103 rejection of claim 26.

Claims 27 and 29 depend directly or indirectly from claim 26 and stand
rejected on similar grounds. Therefore, the above comments directed to claim 26
apply equally to these dependent claims.

Turning to **independent claim 30**, this claim is amended to clarify features
15 of the system that are similar to those discussed above in connection with claim 1.
Accordingly, the comments directed above to claim 1 apply equally to claim 30.
On at least this basis, the Applicant requests reconsideration and withdrawal of the
§ 103 rejection of claim 30.

Claims 30-37 depend directly or indirectly from claim 30 and stand rejected on similar grounds. Therefore, the above comments directed to claim 30 apply equally to these dependent claims.

Turning to independent claim 38, this claim is amended to clarify features of the method that are similar to those discussed above in connection with claim 1. Accordingly, the comments directed above to claim 1 apply equally to claim 38. On at least this basis, the Applicant requests reconsideration and withdrawal of the § 103 rejection of claim 38.

Certain other of the claims pending herein are amended to address informalities noted by the Applicant.

The Applicant requests favorable action on this application at the earliest convenience of the Office. If discussion with the Applicant's representative would advance the prosecution of this case, the Office is requested to contact the undersigned at the telephone number provided below.

Respectfully Submitted,

Dated: 14 NOV 05

By: 

Rocco L. Adornato
Reg. No. 40,480
(509) 324-9256 x 257